



UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1

DENISE CARLON, ESQUIRE
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Attorneys for Secured Creditor
Ditech Financial LLC

In Re:

Lubos Naprstek and Dana Naprstek,

Debtors.

Order Filed on February 25,
2019 by Clerk, U.S. Bankruptcy
Court - District of New Jersey

Case No.: 18-33326 SLM

Adv. No.:

Hearing Date: 2/13/19 @ 8:30 a.m.

Judge: Stacey L. Meisel

**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO DEBTOR'S
CHAPTER 13 PLAN**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED

DATED: February 25, 2019

Honorable Stacey L. Meisel
United States Bankruptcy Judge

Page 2

Debtors:

Lubos Naprstek and Dana Naprstek

Case No.:

18-33326 SLM

Caption:

**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO
DEBTOR'S CHAPTER 13 PLAN**

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Ditech Financial LLC, holder of a mortgage on real property located at 24 Briar Court, Hamburg, NJ, 07419, Denise Carlon appearing, by way of objection to the confirmation of Debtor's Chapter 13 Plan, and this Court having considered the representations of attorneys for Secured Creditor and David C. Russo, Esquire, attorney for Debtors, Lubos Naprstek and Dana Naprstek, and for good cause having been shown;

It **ORDERED, ADJUDGED and DECREED** that Debtor is to obtain a loan modification by 3/15/19, or as may be extended by modified plan; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that Debtor is to make regular post-petition payments in accordance with the terms of the note and mortgage and applicable payment change notices while the loan modification is pending; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that the trustee is not to pay the arrears while the loan modification is pending; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that Secured Creditor does not waive its rights to the pre-petition arrears or any post-petition arrears that may accrue; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that if the loan modification is unsuccessful, Debtor shall modify the plan to address Secured Creditor's pre-petition arrears, either by curing the arrears, selling the property, surrendering the subject property, or in a manner otherwise permitted by the code; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that Secured Creditor's objection to confirmation is hereby resolved.

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
District of New Jersey

In re:
LUBOS NAPRSTEK
Debtor

Case No. 18-33326-SLM
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf903Page 1 of 1
Total Noticed: 1

Date Rcvd: Feb 25, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 27, 2019.

db +LUBOS NAPRSTEK, 24 BRIAR CT, HAMBURG, NJ 07419-1269

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE.

TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 27, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 25, 2019 at the address(es) listed below:

David C. Russo on behalf of Debtor LUBOS NAPRSTEK attorneydavidrusso@gmail.com,
deannabuss@gmail.com;russodr84994@notify.bestcase.com
Denise E. Carlon on behalf of Creditor Ditech Financial LLC dcarlon@kmllawgroup.com,
bkgroup@kmllawgroup.com
Kevin Gordon McDonald on behalf of Creditor Ditech Financial LLC kmcdonald@kmllawgroup.com,
bkgroup@kmllawgroup.com
Marie-Ann Greenberg magecf@magnetrustee.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 5